

1 Alexis Mager Lakusta,  
 2 *in propria persona*  
 3 1259 El Camino Real #245  
 Menlo Park, CA 94025  
 (650) 566-9971

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 NORTHERN DISTRICT OF CALIFORNIA  
 06

5 IN THE UNITED STATES DISTRICT COURT  
 6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 7 OAKLAND DIVISION

8 In re: ) Case No. C 07-00227 SBA  
 9 )  
 10 Alexis Mager Lakusta, ) Case No.: No. 02-31521  
 11 Debtor, Appellant ) Chapter 7  
 12 )  
 13 V. )  
 14 U.S. Trustee [Mark Evans,] et al., ) REDESIGNATION OF THE RECORD  
 Defendants, Appellees ) FOR APPEAL TO THE NINTH  
 ) CIRCUIT COURT FROM ORDER OF  
 ) JUDGE SAUNDRA B. ARMSTRONG  
 )  
 )

15 **REDESIGNATED RECORD ON APPEAL**

- 16 1. Application for Order Shortening Time and Limiting Time and Limiting Notice  
 17 on Motion for Abandonment  
 18 2. Schuricht Declaration Supporting (1) Application for Order Shortening Time,  
 Etc., and (2) Motion for Abandonment  
 19 3. Lakusta Declaration Supporting (1) Application for Order Shortening Time,  
 Etc., and (2) Motion for Abandonment  
 20 4. A proposed Order Shortening Time and Limiting Notice on Motion for Abandon-  
 ment  
 21 5. Notice of Hearing on Lakusta's Motion for Abandonment  
 22 6. Lakusta's Motion for Abandonment  
 23 7. Lakusta's Memorandum of Points and Authorities Supporting Motion for  
 Abandonment

- 1       8. Certificate of Service of Notice of Hearing on Lakusta's Motion for Abandonment
- 2       9. Supplemental Certificate of Service Re Lakusta's Motion for Abandonment
- 3       10. Order Granting Limited Relief from Stay, signed and filed April 16, 2006
- 4       11. Substitution of Attorney, May 11, 2006
- 5       12. Ex Parte Application for Order Authorizing Withdrawal of Debtor's Counsel
- 6       13. Certificate of Service of Ex Parte Application for Order Authorizing Withdrawal  
7           of Debtor's Counsel, Etc.
- 8       14. A proposed Order Authorizing Withdrawal of Debtor's Counsel
- 9       15. Faxed Letter to Jennifer Hayes, Law Clerk to the Honorable Thomas E. Carlson,  
10           with cover page and copy of Complaint filed in the Superior Court of the  
State of California on April 21, 2006, as requested by Judge Carlson
- 11       16. Faxed reply from the Hon. Thomas E. Carlson, May 11, 2006, including  
Memorandum and Order Denying Motion for Abandonment
- 12       17. Notices of Appeal and Statements of Election to Have Appeal Heard by the  
U. S. District Court, May 22, 2006, September 22, 2006, and December 28,  
13           2006 (including Memorandum Re Order Directing Estate to Dismiss Action)
- 14       18. Letter of Understanding and Intent, March 15, 2002
- 15       19. Partnership Agreement, dated March 26, 2002
- 16       20. Estimated Settlement Statement, Chicago Title Company, File No. 902696,  
17           Settlement Date April 22, 2002
- 18       21. Grant Deed, 548 Old La Honda Road, dated March 26, 2002, copy of certified  
copy, and Grant Deed, 633 Old La Honda Road, dated April 16, 2002
- 19       22. Payment demand sheet provided by Mark Evans on approximately May 23,  
20           2002, seeking "reimbursement" and payments totaling \$166,322.00
- 21       23. Voluntary Petition, Alexis Mager Lakusta, June 4, 2002
- 22       24. Adversary Proceeding, Lakusta vs. Evans, June 10, 2002
- 23       25. Application for Temporary Restraining Order as to Disposal of Property and  
Setting Hearing on Preliminary Injunction; Memorandum of Points and Author-  
24           ites in Support of Granting a Temporary Restraining Order (June 7, 2002)
- 25       26. Declaration of Alexis Mager Lakusta in Support of Application for Preliminary  
Injunction, June 13, 2002

- 1 27. All other Temporary Restraining Documents in the record, including Lakusta's  
2 Declaration in Support of TRO
- 3 28. Order Granting Temporary Restraining Order and Setting Hearing of Prelimin-  
ary Injunction, June 13, 2002
- 4 29. Summary of Schedules, Alexis Mager Lakusta, July 8, 2002
- 5 30. Transcript of July 10, 2002 341 Meeting of Creditors
- 6 31. Email to David Duperrault from Terri Molinaro, July 16, 2002, 2:22 p.m., with  
7 attachments California Civil Code §1895-1695.17 and §2945-2946.11
- 8 32. Email to David Duperrault from David Boone, July 17, 2002, 11:50 a.m.
- 9 33. Confidential Settlement Communications: Letter to David A. Boone from David  
Duperrault, July 18, 2002
- 10 34. Initial drat of Settlement Agreement (July 18, 2002) – for this entry and next  
11 entry please see "Defendant Mark H. Evans' List of Exhibits", filed  
May 02, 2005
- 12 35. Draft Settlement Agreements (1) through (8) from July 18, 2005, per "Mark H.  
13 Evans' List of Exhibits", exhibit E., filed May 02, 2005
- 14 36. Supplemental Agreement (all versions), dated July 16, 2002 (please check  
Evans' exhibits)
- 15 37. Executed Settlement Agreement and Release, dated July 16, 2002
- 16 38. Reporter's Transcript, prepared by Linda Pugliese, CSR, for July 18, 2002
- 17 39. Promissory Note Secured by Deed of Trust, July 18, 2002
- 18 40. Deed of Trust, July 18, 2002, with Certificate of Acknowledgement of Notary  
19 Public for David A. Boone and Request for Full Reconveyance to Chicago Title  
Company
- 20 41. Notice of Debtor's Intent to Enter Into Compromise of Controversy
- 21 42. Letter to Ms. Higgins from David Duperrault, July 25, 2002
- 22 43. Email to David Boone from David Duperrault, July 30, 2002, 6:59 p.m.
- 23 44. Email to David Duperrault from David Boone, July 31, 2002, 10:29 a.m.
- 24 45. Order Approving Compromise of Controversy, August 19, 2002
- 25 46. Email to Mark Evans from David Duperrault, August 30, 2002, 11:13 a.m.

- 1 47. Email to David Boone from David Duperrault, September 11, 2002, 11:54 a.m.
- 2 48. Email to David Duperrault from David Boone, September, 14, 2002, 9:32 a.m.
- 3 49. Letter to Mark Evans from David Boone, September 27, 2002
- 4 50. Letter to Scott Goodsell from David Duperrault, October 8, 2002
- 5 51. Substitution of Counsel for Debtor, Northern District of California Bankruptcy  
Court, No. 02-31521 TC, filed October 8, 2002
- 6 52. Bill from Law Offices of David A. Boone directed to Alexis Mager Lakusta,  
dated October 16, 2002
- 8 53. Notice of Hearing on Final Application of the Law Offices of David A. Boone for  
Allowance of Compensation and Reimbursement of Expenses Under Employ-  
ment as Counsel to Debtor, November 8, 2002
- 10 54. Debtor's Objection to Final Fee Application (Law Offices of David A. Boone)  
November 8, 2002
- 11 55. Declaration of Alexis Lakusta in Support of Debtor's Objection to Final Fee  
Application, November 8, 2002
- 13 56. Letter to David Duperrault from Scott Goodsell, November 25 2002
- 14 57. Motion to Enforce Settlement Agreement, December 6, 2002
- 15 58. Declaration of David Duperrault in Support of Motion to Enforce Settlement  
Agreement
- 16 59. Declaration of Mark Evans in Support of Motion to Enforce Settlement  
Agreement
- 18 60. Opposition to Motion to Enforce Settlement Agreement and Cross-Motion to  
Vacate Order Approving Settlement, dated November 22, 2002
- 19 61. Declaration of Scott Goodsell in Support of Opposition to Motion to Enforce  
Settlement Agreement and Cross-Motion to Vacate Order Approving  
Settlement, dated November 22, 2002
- 21 62. Declaration of Alexis Lakusta in Support of Opposition to Motion to Enforce  
Settlement Agreement and Cross-Motion to Vacate Order Approving  
Settlement, dated November 22, 2002
- 23 63. Transcript of Hearing, December 6, 2002
- 24 64. Creditor's Response to Order to Show Cause Why Case Should Not Be  
Converted to Chapter 7, December 19, 2002 (Maureen McQuaid, Attorneys  
for Thomas H. Tornaga, Trustee)

- 1 65. Transcript of Hearing, December 19, 2002
- 2 66. Order Authorizing Trustee to Abandon Estate's Interest in Real Property [633  
Old La Honda Road, Woodside, California], March 27, 2003
- 3 67. Ex Parte Application For Order Shortening Time to Consider Emergency Motion  
Motion for Clarification of Order Restricting Transfer of Property, April 24, 2003
- 4 68. Emergency Motion for Clarification of Order Restricting Transfer of Property.  
April 24, 2003, and all related documents
- 5 69. Order Granting Emergency Motion for Clarification of Order Restricting Trans-  
fer of Property, April 25, 2003
- 6 70. Summary of Schedules, Old La Honda Properties, LLC, May 13, 2003
- 7 71. Stipulation and Order of Dismissal, June 18, 2003
- 8 72. Complaint for Unlawful Detainer, June 23, 2003
- 9 73. Complaint for Relief Bases on Cancellation of Contract; For Money Damages;  
and for Damages for Fraud, CC 1695 et seq
- 10 74. Declaration Re: Daily Rental Value Date Unlawful Detainer Complaint was  
Filed, August 5, 2003
- 11 75. Transcript of Motion for Relief from Stay, August 5, 2003
- 12 76. Transcript of Unlawful Detainer Trial, August 5, 2003
- 13 77. Unlawful Detainer Judgment, August 5, 2003
- 14 78. Writ of Possession, August 5 2003
- 15 79. Notice of Cancellation 8/14/03, Mark Evans and to Responsible Indiv Old La  
Honda Properties LLC, Shirley Scaglione, Chicago Title Company (3 pages)
- 16 80. Notice of Motion and Motion to Object to Annulment and Relief from Stay,  
August 15, 2003
- 17 81. Notice of Motion and Motion for Annulment and Relief from Stay, August 18,  
2003
- 18 82. Transcript of Hearing, August 18, 2003
- 19 83. Order Authorizing Sale of Asset of Estate Free and Clear of Liens and Interests  
Under 11 U.S. C. §363 [633 Old La Honda Road, Woodside, CA], September 8,  
2003
- 20 84. Transcript of Hearing, September 8, 2003

- 1       85. Supplemental Order Authorizing Sale of Asset of Estate Free and Clear of Liens  
2       and Interests Under U.S.C. §363 [633 Old La Honda Road, Woodside, CA],  
October 14, 2003

3       86. Transcript of Hearing, October 14, 2003

4       87. Status Conference Statement, January

5       88. Lakusta's Opposition to Confirmation of Sale, April 5, 2004, including all  
exhibits

6       89. Katzen's Declaration Opposing Sale Confirmation, April 5. 2004

7       90. Lakusta's Declaration Supporting Opposition to Confirmation of Sale, April 5,  
2004

8       91. Abandonment order that confirms Notice of Trustee's Intention to Abandon  
Estate's Interest in Real Property and Opportunity for Hearing (548 Old La  
Honda Road, Woodside, California), July 27, 2004

9       92. Notice of Motion for Order Disqualifying Opposing Counsel, April 26, 2005

10      93. Declaration of Alexis Mager Lakusta in Support of Motion to Disqualify Stephen  
D. Pahl, Esq., and the Law Firm of Pahl and Gosselin, April 26, 2005

11      94. Declaration of Stephen V. Wickersham in Support of a Motion to Disqualify  
Stephen D. Pahl, Esq. and the Law Firm of Pahl and Gosselin, April 26, 2005

12      95. Memorandum of Points and Authorities in Support of an Order Shortening Time  
on a Motion to Disqualify Stephen D. Pahl, Esq. and the Law Firm of Pahl and  
Gosselin, April 26, 2005

13      96. Declaration of Alexis Mager Lakusta in Support of Motion to Disqualify Stephen  
Pahl, Esq., and the Law Firm of Pahl and Gosselin in Reply to the Declaration  
of Stephen Pahl, Esq., May 4, 2005

14      97. Opposition to Motion Disqualifying Pahl and Gosselin, May 9, 2005

15      98. Billing Statement, Pahl and Gosselin, A.P.C.

16      99. Transcript of Hearing on Motion to Disqualify Pahl and Gosselin, May 9, 2005  
("Sealed")

17      100. Pahl and Gosselin Trial Brief (Phase 1), May 02, 2005

18      101. Transcript of Deposition of David A. Boone, May 11, 2005

19      102. Transcript of Trial Adversary Proceeding No.03-3549 TC, May 13, 2005 and  
May 19, 2005

- 1 103. Notice of Entry of Judgment After Trial and Judgment After Trial, June 8, 2005
- 2 104. Transcript of Motion to Declare Mr. Lakusta a Vexatious Litigant and to Enjoin Him  
from Further Proceedings, August 11, 2006
- 3 105. Letter to Judge Carlson dated November 20, 2006
- 4 106. Letter to Ron Oliner dated November 28, 2006, with attachments
- 5 107. Letter to Judge Carlson dated December 11, 2006, with attachments
- 6 108. Transcript of Statue Conference, December 11, 2006
- 7 109. Purchase Contract for 633 Old La Honda Road, submitted (1) by counsel for Evans  
on August 5, 2003 (partially illegible) and (2) at deposition of Alexis Mager Lakusta
- 8 110. Exhibits to 60b Motion filed June 8, 2006:  
Robert E. Patterson Declaration, May 20, 2006, with exhibit  
escrow document for 633 Old La Honda Road Purchase Contract  
escrow cancellation document 10/17/02 escrow no. 02970-000902605-001  
escrow documents for 548 Old La Honda Road Purchase Contract  
escrow cancellation document 10/17/02 escrow no. 02970-000902606-001

13 Dated: November 5, 2007

Alexis Mager Lakusta

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*in propria persona*  
1259 El Camino Real #245  
Menlo Park , California 94025  
(650) 566-9971